



ACTON PLANNING BOARD

Minutes of Meeting
February 10, 2004
Acton Memorial Library

Planning Board members Ms. Lauren Rosenzweig (Chairman), Mr. Ed Pearson (Vice Chair), Mr. Christopher Schaffner, Mr. Patrick Halm, and Associate Member Ms. Stacy Rogers were in attendance. Town Planner, Mr. Roland Bartl, and Planning Board Secretary, Ms. Karen Switzer-Neff, were also in attendance. Absent were Mr. Hart Millett and Mr. Greg Niemyski.

Ms. Rosenzweig called the meeting to order at 7:30 PM.

I. Citizen Concerns

There were no citizens concerns.

II. Public Hearing, Proposed Zoning Changes

Ms. Rosenzweig called the public hearing to order. Mr. Bartl distributed a revised draft of the proposed zoning changes. He explained that minor changes were made to the E. Acton Village Plan articles, which are noted accordingly. He also reported that Town Counsel had completed his first review of the proposed zoning changes and had no major legal concerns, only suggestions for minor changes.

Citizen Petitions

1. Vehicle Wholesale and Storage as an Accessory Use

Mr. John Anderson, petitioner and owner of the building & property located at 20 Main St., gave a brief explanation for the proposed zoning change. He noted that the change would allow vehicle storage and wholesale in the Light Industrial (LI) district. It accommodates his tenant, the regional headquarters of Enterprise Rent-A-Car, by allowing the storage of up to 200 cars. Ms. Andrea McNiff, Business Manager for Enterprise, was present and further explained that Enterprise is consolidating their wholesale division and headquarters, which is why they require the temporary storage of the vehicles. She further noted that while they need to accommodate 200 cars, only 20 –30 cars would be parked on the premises. In addition, the vehicles would be registered in Acton so the Town would receive the benefit of the excise tax.

Public questions/comments

- There was concern about the Assabet River Rail Trail (ARRT). Mr. Anderson responded that the zoning change would not affect the construction of the ARRT.
- When asked about the affect on other areas, Mr. Bartl responded that it would affect the Light Industrial (LI) District only. He added that there are 2 other small areas in Town that are zoned LI but the conditions and setbacks do not fit for those areas to accommodate vehicle wholesale and storage.

2. Changes to the OP-2 (Office Park 2) District Boundary

A request to change property located at 80-84 Piper Road from Office Park 2 (OP-2) to Residence 2 (R-2). Ms. Rosenzweig read a letter received by the petitioners, Frank and Linda Melon, dated February 10, 2004, in which they indicate that they plan to proceed with the petition to rezone their property. They were unable to attend the public hearing.

There were no questions or comments from the public.

Other Proposed Zoning Changes

1. Multi-Family Dwellings in the SAV District

This change would allow more than four dwelling units in multi-family buildings without increasing the density limits for residential development in the SAV district.

Public questions/comments

- When asked about a cap on dwelling units, it was explained that the proposed zoning change does not change the number of units allowed on a lot, it allows for the reconfiguration of units only.
- There was a question about why the Bylaw currently limits multifamily buildings to four units. Mr. Bartl, with the assistance of Selectman Shupert, gave a brief explanation of the 1995 South Acton Village Plan and its recommendation to allow multifamily in village centers. Allowing multi-family use was new at the time, and limiting it to 4 units per building seemed a supportable concept then. Times have changed, and there is a realization that the resulting development may not be in the best interest of the South Acton Village. It was noted that the proposed zoning change allows more flexibility for developers, could result in more desirable buildings than just 4-unit town houses, and broadens the options for a variety of housing needs, i.e. small and large units mixed together.
- Mr. George Dimakarakos from Stamski & McNary, Inc., indicated that his client would like to construct multifamily housing on a site in S. Acton but is limited architecturally by the 4-unit maximum per building. He explained that there is a large demand for multifamily housing, but restrictions under the current Bylaw limit designs similar to the town houses constructed next to Kmart. The proposed zoning change is a special permit that gives the Selectmen more flexibility and the ability to incorporate public comments and concerns, and design review. Mr. Bartl clarified that the proposed zoning change is not site specific but helps to implement the South Acton Village Plan and the Master Plan.

2. Adjustments to Section 9B – Senior Residence

It had been brought to the Planning Board's attention that the Senior Residence Bylaw, which was adopted by Town Meeting in 2000, is flawed. It does not allow the maximum density under present zoning, even on parcels that do not have any significant constraints. It was noted that the Senior Residence Bylaw has never been used.

Public questions/comments

- There was a concern that Chapter 40B developments are more beneficial to developers than developments allowed under local bylaws, and amending the Zoning Bylaw is a waste of time. Ms. Rosenzweig responded that making local zoning more attractive to developers is a tool for gaining local control of development with lower density, and allows room for negotiation. It was noted that the Planning Board had been approached by Mr. Dimakarakos from Stamski & McNary, about the impediments of the Senior Residence Bylaw and agreed to put a placeholder in the Town Meeting Warrant so they can receive public input.

3. Outdoor Lighting Regulations

The new regulations would apply to new commercial development. The purpose is to regulate the design of outdoor lighting installation to prevent light trespass, glare, and the hours of illumination.

Mr. Martin Graetz, member of the Outdoor Lighting Advisory Committee, commented briefly on the proposed regulations. He indicated that the proposed regulations are similar to regulations in other towns.

There were no questions or comments from the public.

4. ARC District Changes for T.J. O'Grady Memorial Skate Park

This article accommodates the proposed skateboard park on Hayward Road by change the site's zoning to ARC and modifying dimensional standards in the ARC district. It was noted that it affects all properties zoned ARC, but the Town has control over all projects within this district.

There were no questions or comments from the public.

5. Housekeeping

Corrects inconsistencies in the Bylaw.

There were no questions or comments from the public.

East Acton Village Articles

In addition to the proposed zoning changes below, there is one other non-zoning article related to the East Acton Village Plan. It would prohibit the use of motorized craft on Ice House Pond.

1. EAV Plan - East Acton Village Green Rezoning

Would change the Town-owned parcel at 108 Great Rd. from LB to ARC.

There were no questions or comments from the public.

2. EAV Plan - 8 Wetherbee Street Rezoning

Would rezone the 1.5-acre property from Small Manufacturing (SM) to East Acton Village (EAV).

There were no questions or comments from the public.

3. EAV Plan - East Acton Village District Use Regulations

Would allow a greater variety of businesses, disallow uses less appropriate for village settings, and permit additional housing types.

Public questions/comments

- When asked if there was input from the Economic Development Committee (EDC) or business owners, Mr. Sghia-Hughes, Chair of the East Acton Village Planning Committee (EAVPC), noted that the EDC seems satisfied with the proposed zoning changes but has not voted its position, yet. He also noted that some members of the EAVPC are business owners in East Acton.
- Mr. Pearson expressed concern that parking structures and industrial (scientific) uses would not be allowed. Mr. Sghia-Hughes responded that the Committee recommends that the Planning Board revisit the definition of scientific uses. They would like more benign scientific uses for East Acton Village. Regarding parking, Mr. Sghia-Hughes indicated that members of the EAVPC could not reach a consensus.

4. EAV Plan - East Acton Village District Dimensional Regulations

Would revise the dimensional regulations for the East Acton Village zoning district to make them more consistent with traditional villages. The proposed changes would have a minimum 25% open space requirement.

There were no questions or comments from the public.

5. EAV Plan - East Acton Village II District

Would concentrate development in EAV and help to protect Nashoba Brook.

Public questions/comments

- When asked to explain the purpose of EAVII, Mr. Sghia-Hughes explained that its purpose is to help set the village apart from the Route 2A sprawl. Mr. Bartl added that it is capped at a lower density than EAV because of the proximity of most of the district to Nashoba Brook.

- Public access from residential areas to Great Road was encouraged. Mr. Bartl responded that easements could be negotiated.

6. EAV Plan - Special Provisions for East Acton Village District

The intention is to guide future development in East Acton Village in a direction that is a pedestrian-friendly village center by limiting the size of individual businesses, setting design standards for buildings, and requiring a site plan special permit beginning at a lower threshold.

There were no questions or comments from the public.

7. EAV Plan - Options for Density Increases

Would allow 0.20 FAR by right and 0.50 FAR with the use of TDRs, historical preservation, affordable housing, or base LEED certification. Mr. Bartl explained that the reference to North Acton Village in the article is only housekeeping in nature. He indicated that the summary would be revised for a better explanation.

There were no questions or comments from the public.

8. EAV Plan - East Acton Village District Parking Requirements

Would encourage shared parking and connections between adjacent parking lots.

Public questions/comments

- It was suggested that on-street parking be included because it also serves as a traffic-calming device. Mr. Sghia-Hughes responded that it was not included because Great Road is a State Highway that is regulated by the State, and on-street parking is not regulated under zoning.

9. EAV Plan - Modified Sign Regulations for the East Acton Village District

Would allow more signs, two primary and up to two secondary. It was noted that the proposed zoning changes are consistent with the proposed Outdoor Lighting Bylaw.

10. Site Plan Review Threshold in the East Acton Village District

Developments and building expansions greater than 500 square feet require a site plan special permit (consistent with other village district).

There were no questions or comments from the public.

The Board voted unanimously to close the public hearing. It was noted that the Planning Board would vote to recommend or not recommend the proposed zoning changes at their next meeting on February 24th and public comments could be sent directly to the Planning Board for consideration.

The meeting adjourned at 9:55 PM.